

9-30 -2003

Sheet 1 of 1



<p style="text-align: center;"> U.S. DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE </p> <p>LIST OF DOCUMENTS CITED BY APPLICANT TO COMPLY WITH 37 C.F.R. 1.56</p>	ATTY. DOCKET NO.	SERIAL NO.
	DT-0104	09/849,448
	APPLICANT	
DELURGIO		
FILING DATE 5/4/01	GROUP	
	B4LCIW 3623 3622	

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

<u>NOT FOUND</u>	CA	"PCT International Search Report", Application Number PCT/US02/14977, mailed May 5, 2003.
<i>sb</i>	CB	DYER, ROBERT F. et al., "Case Studies in Marketing Decisions Using Expert Choice," Decision Support Software, 1988, Pages 2-7, 73-108.
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OCT 02 2003

GROUP 360

EXAMINER 

DATE CONSIDERED
5-10-2005

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

A circular stamp with "U.S. PATENT AND TRADEMARK OFFICE" around the perimeter and "MAY 21 2001" in the center.

5-21-2001

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<p>TRADEMAKES Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p>				Complete if Known	
				Application Number	09849448
				Filing Date	5/4/01
				First Named Inventor	PHIL DELURGIO
				Group Art Unit	3623
				Examiner Name	BYLCIW
Sheet	1	of	2	Attorney Docket Number	DT:0104

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	5-20-2005
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

*Indicate exactly designated number. See attached kinds of U.S. Patent documents. *Indicate the date and the document, by one or two lines. WIPO Standard ST. 16
*For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. *Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. *Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



P T A B Substitute (for) Form 1449A/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

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of

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Complete if Known

Application Number	09849448
Filing Date	5/4/01
First Named Inventor	PHIL DELURGIO
Group Art Unit	3623
Examiner Name	BYLLIW
Attorney Docket Number	DT:0104

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
SB	BA	ROSSI, DELURGIO, & KANTOR; "MAKING SENSE OF SCANNER DATA," HARVARD BUSINESS REVIEW, REPRINT F00205	
SB	BB	BUCKLIN & GUPTA, "BRAND CHOICE, PURCHASE INCIDENCE, AND SEGMENTATION: AN INTEGRATED MODELING APPROACH," JOURNAL OF MARKETING RESEARCH, MAY 1992, PP. 201-215, VOL. XXIX	
SB	BC	SMITH, MATHUR, & KOHN; "BAYESIAN SEMIPARAMETRIC REGRESSION: AN EXPOSITION AND APPLICATION TO PRINT ADVERTISING," JANUARY 3, 1997; AUSTRALIAN GRADUATE SCHOOL OF MANAGEMENT, UNIVERSITY OF NEW SOUTH WALES, SYDNEY 2052, AUSTRALIA	
SB	BD	BLATTBERG AND DEIGHTON, "MANAGE MARKETING BY THE CUSTOMER EQUITY," HARVARD BUSINESS REVIEW, JULY-AUGUST 1996, PP. 136-144	
SB	BE	CHRISTEN, GUPTA, PORTER, STAELIN, & WITTINK; "USING MARKET-LEVEL DATA TO UNDERSTAND THE EFFECTIVENESS OF PROMOTIONAL ACTIVITIES," DECEMBER 22, 1995	
SB	BF	LINK, "ARE AGGREGATE SCANNER DATA MODELS BIASED?," JOURNAL OF ADVERTISING RESEARCH, SEPTEMBER/OCTOBER 1995, PP. RC8-RC12, ARF	
SB	BG	RUSSELL & KAMAKURA, "UNDERSTANDING BRAND COMPETITION USING MICRO AND MACRO SCANNER DATA," JOURNAL OF MARKETING RESEARCH, VOL. XXXI (MAY 1994), PP. 289-303	
SP	BH	JONES, "THE DOUBLE JEOPARDY OF SALES PROMOTIONS," HARVARD BUSINESS REVIEW, SEPTEMBER-OCTOBER 1999, PP. 145-152	
SB	BI	BUZZELL, QUELCH, & SALMON; "THE COSTLY BARGAIN OF TRADE PROMOTION," HARVARD BUSINESS REVIEW, REPRINT 90201, MARCH-APRIL 1990, PP. 1-9	
SB	BJ	CURRY, DIVAKAR, MATHUR, & WHITEMAN; "BVAR AS A CATEGORY MANAGEMENT TOOL: AN ILLUSTRATION AND COMPARISON WITH ALTERNATIVE TECHNIQUES," JOURNAL OF FORECASTING, VOL. 14, ISS NO. 3 (1995), PP. 181-199	
SB	BK	GURAL, "PRICE OPTIMIZATION SYSTEM," LETTER TO KANG LIM, ESQ., DTD 2/9/01, PATENTEC, REFERENCE NUMBER 7220	

Examiner Signature	<i>Stephen Bylliw</i>	Date Considered	5-20-2005
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¹Unique citation designation number. ²Applicant is to place a check mark here if English language Translation is attached.

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8-6-2001



Form 1449 (Modified)

Information Disclosure
Statement By Applicant

(Use Several Sheets if Necessary)

Atty Docket No.

DT: 0104

Applicant:

DELURGIO et al.

Filing Date

05/04/01

Application No.:

09/849,448

BYLCIW

Group 3623

UNASSIGNED

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
A							
B							
C							
D							
E							
F							
G							
H							
I							

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-class	Translation	
							Yes	No
J								
K								
L								
M								
N								

Other Documents

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
SB	O	Stephen J. Hoch et al., "Store Brands and Category Management", The Wharton School, University of Pennsylvania, March 1998, pp. 1-38
SB	P	Bruce G.S. Hardie et al., "Attribute-based Market Share Models: Methodological Development and Managerial Applications", The Wharton School, University of Pennsylvania, Working Paper 98-009, pp. 1-48
SB	Q	Alan Mercer, "Non-linear Price Effects", Journal of the Market Research Society, dated 7/1/96, p. 227
SB	R	Rockney G. Walters, "Assessing the Impact of Retail Price Promotions on Product Substitution, Complementary Purchase, and Interstore Sales Displacement", Journal of Marketing, Vol. 55, April 1991, pp. 17-28
SB	S	Robert C. Blattberg et al., "How Promotions Work", Marketing Science, Vol. 14, No. 3, Part 2 of 2, 1995, pp. G122-G132
SB	T	Peter M. Guadagni et al., "A Logit Model of Brand Choice Calibrated on Scanner Data", Marketing Science, Vol. 2, No. 3, Summer 1983, pp. 203-238
SB	U	Lee G. Cooper et al., "Standardizing Variables in Multiplicative Choice Models", Journal of Consumer Research, Vol. 10, June 1983, pp. 96-108



SB	V	Eileen Bridges et al., "A High-Tech Product Market Share Model with Customer Expectations"" Marketing Science, Vol. 14, No. 1, Winter 1995, pp. 61-81
SB	W	Richard R. Batsell, et al., "A New Class of Market Share Models", Marketing Science, Vol. 4, No. 3, Summer 1985, pp. 177-198
SB	X	Jagmohan S. Raju, "The Effect of Price Promotions on Variability in Product Category Sales", Marketing Science, Vol. 11, No. 3, Summer 1992, pp. 207-220
SB	Y	Robert J. Dolan, "How Do You Know When the Price Is Right?", Harvard Business Review, September-October 1995, pp. 5-11
SB	Z	Fusun Gonul, "Modeling Multiple Sources of Heterogeneity in Multinomial Logit Models: Methodological and Managerial Issues", Marketing Science, Vol. 12, No. 3, Summer 1993, pp. 213-229
SB	AA	Robert M. Schindler et al., "Increased Consumer Sales Response through Use of 99-Ending Prices", Journal of Retailing, 6/1/96, p. 187
SB	BB	Francis J. Mulhern et al., "The Relationship between Retail Price Promotions and Regular Price Purchases", Journal of Marketing, Vol. 59, October 1995, pp. 83-90
SB	CC	John Deighton et al., "The Effects of Advertising on Brand Switching and Repeat Purchasing", Journal of Marketing Research, Vol. XXXI, February 1994, pp. 28-43
SB	DD	Sunil Gupta, "Reflections on 'Impact of Sales Promotions on When, What, and How Much to Buy'", Journal of Marketing Research, Vol. XXX, November 1993, pp. 522-24
SB	EE	Richard A. Briesch, "Does It Matter How Price Promotions Are Operationalized?", Marketing Letters 8:2 (1997), pp. 167-181
SB	FF	Byung-Do Kim et al., "Modeling the Distribution of Price Sensitivity and Implications for Optimal Retail Pricing", Journal of Business & Economic Statistics, July 1995, Vol. 13, No. 3
SB	GG	William R. Dillon et al., "A Segment-level Model of Category Volume and Brand Choice", Marketing Science, Vol. 15, No. 1, 1996, pp. 38-59
SB	HH	Stephen J. Hoch et al., "Determinants of Store-Level Price Elasticity", Journal of Marketing Research, Vol. XXXII (February 1995), pp. 17-29
SB	II	Magid M. Abraham et al., "An Implemented System for Improving Promotion Productivity Using Store Scanner Data", Marketing Science, Vol. 12, No. 3, Summer 1993
SB	JJ	Peter S. Fader et al., "Modeling Consumer Choice among SKUs", Journal of Marketing Research, Vol. XXXIII (November 1996), pp. 442-452
Examiner <i>Stephen Ryman</i>	Date Considered	5-20-2005

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

9-7-2001

Sheet 1 of 1

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF DOCUMENTS CITED BY APPLICANT
TO COMPLY WITH 37 C.F.R. 1.56ATTY. DOCKET NO.
DT0104SERIAL NO.
09/849,448

APPLICANT

Delurgio et al.

FILING DATE
05/04/01GROUP 3623
BILCIW
Unassigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
SB	AA	6,205,431	03/20/01	Willemain et al.	705	10	
SB	AB	5,459,656	10/17/95	Fields et al.	364	401	
SB	AC	5,299,115	03/29/94	Fields et al.	364	401	
SB	AD	5,799,286	08/25/98	Morgan et al.	705	30	
SB	AE	5,732,401	03/24/98	Conway	705	29	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
							YES

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

SB	AI	"Report of Novelty Search" by Patentec, dated July 25, 2001					

EXAMINER	Stephen Bylum	DATE CONSIDERED	5-20-2005
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5-31-2002

TRADEMARK SUBSTITUTE for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	09/849448
(use as many sheets as necessary)				Filing Date	5/4/2001
				First Named Inventor	Phill Delurgio
				Group Art Unit	3623
				Examiner Name	BYLCW
				Attorney Docket Number	DT.0104
Sheet	1	of	1	RECEIVED JUN 0	

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ²			
SB	AA	6,308,162		Quimet et al	10/23/2001	

FOREIGN PATENT DOCUMENTS

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
SB	CA	Montgomery: "The Impact of Micro-Marketing on Pricing Strategies", 1994 The University of Chicago, volume 55/12-A of Dissertation Abstracts International, page 3922 (ABSTRACT ONLY).	
SB	CB	Busch: "Cost modeling as a technical management tool", Reasearch-Technology Management, Nov/Dec 1994, vol. 37, no. 6, pages 50-56.	
SB	CC	"Pacificorp IRP: Renewables Costs Must Drop 65% to be Competitive with Gas"	
			RECEIVED
			JUN 13 2002
			GROUP 360

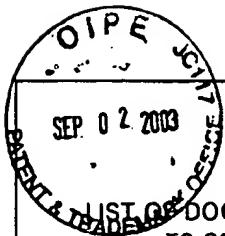
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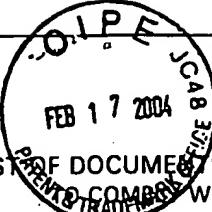
9-2-2003

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2-17-2004

Sheet 1 of 1

 LIST OF DOCUMENTS CITED BY APPLICANT <small>PATENT & TRADEMARK WITH 37 C.F.R. 1.56</small>	ATTY. DOCKET NO. DT-0104	SERIAL NO. 09/849,448
	APPLICANT DELURGIO	
	FILING DATE 05/04/2001	GROUP <i>BYLCIW</i> <i>3622 3623</i>

U.S. PATENT DOCUMENTS

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
SB	AA	6,456,986	09/24/2002	Boardman et al.			
SB	AB	6,397,193	05/28/2002	Walker et al.			
SB	AC	6,341,268	01/22/2002	Walker et al.			
SB	AD	6,134,534	10/17/2000	Walker et al.			
SB	AE	6,052,686	04/18/2000	Fernandez et al.			
SB	AF	5,933,813	08/03/1999	Teicher et al.			
SB	AG	5,790,643	08/04/1998	Gordon et al.			
SB	AH	5,765,143	06/09/1998	Sheldon et al.			

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FEB 28 2004
GROUP 3600

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	TRANSLATION
							YES NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

SB	CA	"PCT International Search Report", Application Number PCT/US03/30488, mailed January 28, 2004.
SB	CB	Bruce G.S. Hardie et al., "Attribute-based Market Share Models: Methodological Development and Managerial Applications", University of Pennsylvania, Working Paper 98-009, pp. 1-48, 1998.
SB	CC	Rossi, Delorgio, & Kantor, "Making Sense of Scanner Data;" Harvard Business Review, Reprint F00205, 2000.
SB	CD	"Pacificorp IRP: Renewables Costs Must Drop 65% to be Competitive with Gas," dated December 8, 1995.
SB	CE	Robert J. Dolan, "How Do You Know When the Price is Right?", Harvard Business Review, September-October 1995, P. 4-11

EXAMINER <i>Stephen Thyne</i>	DATE CONSIDERED 5-20-2005
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7-12-2004



Sheet 1 of 1

U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE				ATTY. DOCKET NO. DT-0104	SERIAL NO. 09/849,448		
LIST OF DOCUMENTS CITED BY APPLICANT TO COMPLY WITH 37 C.F.R. 1.56				APPLICANT DELURGIO			
				FILING DATE 05/04/2001	GROUP <i>BULLW</i> <i>-3622 3623</i>		
U. S. PATENT DOCUMENTS							
EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<i>SB</i>	AA	6,725,208	04/20/2004	Hartman et al.			
<i>SB</i>	AB	6,341,269	01/22/2002	Dulaney et al.			
<i>SB</i>	AC	5,377,095	12/27/1994	Maeda et al.			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
<i>SB</i>	BA	Alan L. Montgomery and Peter R. Rossi, "Estimating Price Elasticities with Theory-Based Priors," Journal of Marketing Research Vol. XXXVI, November 1999 (pp 413-423).					
<i>SB</i>	BB	Boatwright, Peter et al., "Account-Level Modeling for Trade Promotion: An Application of a Constrained Parameter Hierarchical Model," Journal of the American Statistical Association, Vol. 94, No. 448, December 1999 (pp 1063-1073).					
<i>SB</i>	BC	Alan L. Montgomery, "Creating Micro-Marketing Pricing Strategies Using Supermarket Scanner Data," Marketing Science, Vol. 16, No. 4, 1997 (pp 315-337).					
<i>SB</i>	BD	Robert C. Blattberg and Edward I. George, "Shrinkage Estimation of Price and Promotional Elasticities: Seemingly Unrelated Equations," Journal of the American Statistical Association, Vol. 86, No. 414, June 1991 (pp 304-315)					
<i>SB</i>	BE	Arnold Zellner, "On Assessing Prior Distribution sand Bayesian Regression Analysis With G-Prior Distributions," Elsevier Science Publishers, 1986 (pp 233-243)					
<i>SB</i>	BF	A.F.M. Smith, "A General Bayesian Linear Model," University of Oxford, April 1972.					
<i>SB</i>	BG	D.V. Lindley and A.F.M. Smith, "Bayes Estimates for the Linear Model," University College, December 1971.					
<i>SB</i>	BH	George C. Tiao and Arnold Zellner, "On the Bayesian Estimation of Multivariate Regression," University of Wisconsin, January 1964.					
<i>SB</i>	BI	Arnold Zellner, "An Efficient Method of Estimating Seemingly Unrelated Regressions and Tests for Aggregation Bias," University of Wisconsin, June 1962.					
EXAMINER <i>Stephen Bylins</i>				DATE CONSIDERED 5-20-2005			
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9-14-2004

Sheet 1 of 1



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2-7-2005

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5-31-2005

Sheet 1 of 1



<p style="text-align: center;">  U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE </p> <p style="text-align: center;">LIST OF DOCUMENTS CITED BY APPLICANT</p> <p style="text-align: center;">TO COMPLY WITH 37 C.F.R. 1.56</p>	ATTY. DOCKET NO.	SERIAL NO.
	DT-0104	09/849,448
	APPLICANT DELURGIO	
FILING DATE 05/04/2001	GROUP <i>BY LINE</i> 3622 3623	

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

OTHER DOCUMENTS (*Including Author, Title, Date, Pertinent Pages, Etc.*)

<i>SB</i>	BA	Scherage, Dan, "You Do the Math," <i>Chain Store Age</i> , v76, n7, July 2000.
	BB	"Gymboree Enhances Price Management," <i>Retail Systems Alert</i> , Volume 13, Number 6, June 2000. (DID NOT FIND)
<i>SB</i>	BC	Binkley, James K.; Connor, John M., "Grocery Market Pricing and the New Competitive Environment." <i>Journal of Retailing</i> , v74, n2, Summer 1998.

EXAMINER 		DATE CONSIDERED 6-13-2005
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